UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

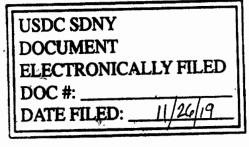
RYAN TRAYLOR, Individually and on behalf of others similarly situated,

Plaintiffs,

-against-

NEW STATFORD RESTAURANT, INC., d/b/a TEN DEGREES AND BACI E VENDETTA and MORDECHAI H. HASSON, Jointly and Severally,

Defendants.



19cv00949 (DF)

ORDER OF DISMISSAL

DEBRA FREEMAN, United States Magistrate Judge:

In this action under the Fair Labor Standards Act and the New York Labor Law, which is before this Court on the consent of the parties pursuant to 28 U.S.C. § 636(c), the parties, having reached an agreement in principle to resolve the action, have placed their proposed settlement agreement before the Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiffs have also submitted a letter to the Court, explaining why they believe the proposed settlement agreement is fair, reasonable, and adequate. (Dkt. 27.) The Court has reviewed Plaintiffs' submissions in order to determine whether the proposed agreement (*id.*, Ex. A) represents a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiffs' letter, the terms of the proposed settlement agreement, and this Court's own familiarity with the strengths and weaknesses of the parties' positions (as became evident during an arms-length settlement mediation conducted by this Court), it is hereby ORDERED that:

1. The Court finds that the terms of the proposed settlement agreement are fair,

reasonable, and adequate, both to redress Plaintiffs' claims in this action and to compensate

Plaintiffs' counsel for their legal fees, and the agreement is therefore approved.

The Court notes that both Plaintiffs' letter to the Court and the parties' proposed

Stipulation of Dismissal expressly contemplate that this Court will retain jurisdiction over this

action. (See id., at 4, and attached Stipulation.) In light of this, and in order to effectuate the

evident intent of the parties, this Court will retain jurisdiction over this matter for the purpose of

enforcing the settlement.

2.

3. As a result of the Court's approval of the parties' executed settlement agreement,

this action is hereby discontinued with prejudice and without costs or fees to any party. The

Clerk of Court is directed to close this case on the Docket of the Court.

Dated: New York, New York

November 26, 2019

SO ORDERED

DEBRA FREEMAN

United States Magistrate Judge

Copies to:

All counsel (via ECF)